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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

CARL ANTHONY DUPERON

CIVIL ACTION NO. 04-2304-LO

VS.

SECTION P

DEPUTY WARDEN VIATOR, ET AL.

JUDGE MELCANÇON

MAGISTRATE JUDGE METHVIN

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

IT IS ORDERED that plaintiff's Civil Rights Complaint be **DISMISSED** as frivolous and for failing to state a claim for which relief may be granted in accordance with the provisions of 28 U.S.C. § 1915(d)(2)(b)(i) and (ii) and § 1915A(b)(1).

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 17th
day of October, 2005.



TUCKER L. MELANÇON
UNITED STATES DISTRICT JUDGE